

EXHIBIT “K”
TO DECLARATION OF GREGORY A. FAYER

LAW OFFICES
GIPSON HOFFMAN & PANCIONE
A PROFESSIONAL CORPORATION
1901 AVENUE OF THE STARS
SUITE 1100
LOS ANGELES, CALIFORNIA 90067-6002
(310) 556-4660
FAX (310) 556-8945

WRITER'S DIRECT DIAL NUMBER:
(310) 557-8838

WRITER'S DIRECT INTERNET E-MAIL:
GFayer@ghplaw.com

OUR FILE NO.:
4444-1

January 20, 2010

VIA FACSIMILE AND FIRST CLASS MAIL

BenQ America Corp.
Attn: Flora Hsu
15375 Barranca Parkway, Suite A 205
Irvine, CA 92618

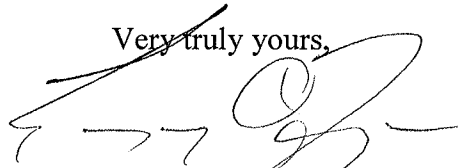
Re: *CYBERsitter, LLC v. People's Republic of China, et al.*
Central District Case No. CV 10-0038 GAF (SHx)

Dear Ms. Hsu:

We have not yet received your response to our letter of January 14, 2010 requesting that as a defendant in the above-entitled action, you make arrangements with our offices for service of the complaint and summons in the above-entitled action. Accordingly, this letter is to give you notice, in accordance with Central District Local Rule 7-19.1, that my client, CYBERsitter, LLC ("CYBERsitter"), who is the plaintiff in the above-entitled action, intends to file an *ex parte* application this Friday, January 22, 2010, before the Honorable Gary A. Feess in the United States District Court for the Central District of California, courtroom 740 of the Roybal building, located at 255 East Temple Street, Los Angeles, California 90012. CYBERsitter's *ex parte* application will petition the Court to issue Letters Rogatory requesting the courts of Taiwan to order the service of process in accordance with Taiwan's internal law on the following defendants in the above-entitled action: ACER Incorporated, ASUSTeK Computer Inc., BenQ Corporation. According to Judge Feess's local local rule 5, "[a]n appearance is not generally required" for *ex parte* applications. Accordingly, we do not anticipate that there will be a hearing on the matter unless the Court orders a hearing to be held.

Please let me know as soon as possible whether you intend to appear and whether or not you intend to oppose the application. Please let feel free to contact me by email or call me directly at (310) 557-8838 to discuss this matter.

Very truly yours,



Gregory A. Fayer

GAF:mjt

GIPSON HOFFMAN & PANCIONE

A PROFESSIONAL CORPORATION

1901 AVENUE OF THE STARS

SUITE 1100

LOS ANGELES, CALIFORNIA 90067-6002

TELEPHONE: (310) 556-4660

FACSIMILE: (310) 556-8945

FAX COVER SHEET

DATE: January 20, 2010

PAGES (incl. cover sheet): 2

EMPLOYEE I.D. 221

MATTER NO. 4444.01

RECIPIENT	PHONE	FAX NO.
BenQ America Corp. Attn: Flora Hsu, Legal Department	949-255-9500	949-255-9600

FROM: Gregory A. Fayer

REFERENCE: CYBERsitter, LLC v. People's Republic of China, et al.

DOCUMENTS ATTACHED:

To GHP Fax operator, please confirm receipt by telephone if box is checked:

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MESSAGE:

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JOB STATUS REPORT

TIME : 01/20/2010 04:47
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